

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.11695 of 2007

Date: 07.06.2007

Between:

M/s.Kanchan Ganga Seed Company Pvt. Ltd.

....Petitioner

and

The Government of Andhra Pradesh and others.

....Respondents

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ORDER:
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The petitioner is a seed company. The third respondent affected seizure of certain quantities of maize and bajara seeds and proceedings under Section 6-A of the Essential Commodities Act were initiated before the fourth respondent. Through a detailed order, dated 15.05.2007, the fourth respondent directed confiscation of the seized stock. Aggrieved thereby, the petitioner filed Criminal Appeal No.29 of 2007 in the Court of the V Additional District & Sessions Judge-cum-Fast Track Court, Nizamabad. It also filed a miscellaneous application being Crl.M.P.No.456 of 2007. The grievance of the petitioner is that no orders have been passed by the appellate Court so far and seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Agriculture.

Two varieties of seeds manufactured and processed by the petitioner were seized by the third respondent and the fourth respondent ordered confiscation of the seized stock. A statutory remedy was availed by the petitioner by filing the appeal before the Court of the learned V Additional District & Sessions Judge-cum-Fast Track Court, Nizamabad. An application for interim order was filed way back on 20.05.2007. Unless interim orders are passed pending disposal of the appeal, the very purpose would be defeated. Further, having regard to the nature of product involved,

the appeal itself deserves to be disposed of at the earliest.

Hence, the writ petition is disposed of, directing that:

- (a) pending disposal of Criminal Appeal No.29 of 2007 in the Court of the V Additional District & Sessions Judge-cum-Fast Track Court, Nizamabad, the order, dated 15.05.2007, passed by the fourth respondent shall remain suspended; and
- (b) the learned V Additional District & Sessions Judge-cum-Fast Track Court, Nizamabad, shall endeavour to dispose of Crl.M.P.No.456 of 2007 within four weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

07.06.2007

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